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against any employee of the Government whose act or omission gave rise to the claim, by reason of the same subject matter.

[Order No. 371-66, 31 FR 16616, Dec. 29, 1966, as amended by Order No. 834-79, 44 FR 33399, June 11, 1979; Order No. 1591-92, 57 FR 21740, May 22, 1992]

§ 14.11 Supplementing regulations.

Each agency is authorized to issue regulations and establish procedures consistent with the regulations in this part.

APPENDIX TO PART 14—DELEGATIONS OF SETTLEMENT AUTHORITY

DELEGATION OF AUTHORITY TO THE SECRETARY OF VETERANS AFFAIRS

Section 1. AUTHORITY TO COMPROMISE TORT CLAIMS.

(a) The Secretary of Veterans Affairs shall have the authority to adjust, determine, compromise and settle a claim involving the United States Department of Veterans Affairs under section 2672 of title 28, United States Code, relating to the administrative settlement of federal tort claims, if the amount of the proposed adjustment, compromise, or award does not exceed \$200,000. When the Secretary of Veterans Affairs believes a claim pending before him presents a novel question of law or of policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) The Secretary of Veterans Affairs may redelegate in writing the settlement authority delegated to him under this section.

Section 2. MEMORANDUM.

Whenever the Secretary of Veterans Affairs settles any administrative claim pursuant to the authority granted by section 1 for an amount in excess of \$100,000 and within the amount delegated to him under section 1, a memorandum fully explaining the basis for the action taken shall be executed. A copy of this memorandum shall be sent to the Director, FTC Staff, Torts Branch of the Civil Division.

DELEGATION OF AUTHORITY TO THE POSTMASTER GENERAL

Section 1. AUTHORITY TO COMPROMISE TORT CLAIMS.

(a) The Postmaster General shall have the authority to adjust, determine, compromise and settle a claim involving the Postal Service under section 2672 of title 28, United States Code, relating to the administrative settlement of federal tort claims, if the

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amount of the proposed adjustment, compromise, or award does not exceed \$200,000. When the Postmaster General believes a claim pending before him presents a novel question of law or of policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) The Postmaster General may redelegate in writing the settlement authority delegated to him under this section.

Section 2. MEMORANDUM.

Whenever the Postmaster General settles any administrative claim pursuant to the authority granted by section 1 for an amount in excess of \$100,000 and within the amount delegated to him under section 1, a memorandum fully explaining the basis for the action taken shall be executed. A copy of this memorandum shall be sent to the Director, FTCA Staff, Torts Branch of the Civil Division.

DELEGATION OF AUTHORITY TO THE SECRETARY OF DEFENSE

Section 1. AUTHORITY TO COMPROMISE TORT CLAIMS.

(a) The Secretary of Defense shall have the authority to adjust, determine, compromise and settle a claim involving the United States Department of Defense under section 2672 of title 28, United States Code, relating to the administrative settlement of federal tort claims, if the amount of the proposed adjustment, compromise, or award does not exceed \$200,000. When the Secretary of Defense believes a claim pending before him presents a novel question of law or of policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) The Secretary of Defense may redelegate in writing the settlement authority delegated to him under this section.

Section 2. MEMORANDUM.

Whenever the Secretary of Defense settles any administrative claim pursuant to the authority granted by section 1 for an amount in excess of \$100,000 and within the amount delegated to him under section 1, a memorandum fully explaining the basis for the action taken shall be executed. A copy of this memorandum shall be sent to the Director, FTCA Staff, Torts Branch of the Civil Division.

DELEGATION OF AUTHORITY TO THE SECRETARY OF TRANSPORTATION

Section 1. AUTHORITY TO COMPROMISE TORT CLAIMS.

(a) The Secretary of Transportation shall have the authority to adjust, determine, compromise and settle a claim involving the

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United States Department of Transportation under section 2672 of title 28, United States Code, relating to the administrative settlement of federal tort claims, if the amount of the proposed adjustment, compromise, or award does not exceed \$100,000. When the Secretary of Transportation believes a claim pending before him presents a novel question of law or of policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) The Secretary of Transportation may redelegate in writing the settlement authority delegated to him under this section.

Section 2. MEMORANDUM.

Whenever the Secretary of Transportation settles any administrative claim pursuant to the authority granted by section 1 for an amount in excess of \$50,000 and within the amount delegated to him under section 1, a memorandum fully explaining the basis for the action taken shall be executed. A copy of this memorandum shall be sent to the Director, FTCA Staff, Torts Branch of the Civil Division.

DELEGATION OF AUTHORITY TO THE SECRETARY OF HEALTH AND HUMAN SERVICES

Section 1. AUTHORITY TO COMPROMISE TORT CLAIMS.

(a) The Secretary of Health and Human Services shall have the authority to adjust, determine, compromise, and settle a claim involving the Department of Health and Human Services under section 2672 of title 28, United States Code, relating to the administrative settlement of federal tort claims, if the amount of the proposed adjustment, compromise, or award does not exceed \$200,000. When the Secretary of Health and Human Services believes a claim pending before him presents a novel question of law or policy, he shall obtain the advice of the Assistant Attorney General in charge of the Civil Division.

(b) The Secretary of Health and Human Services may redelegate, in writing, the settlement authority delegated to him under this section.

Section 2. MEMORANDUM.

Whenever the Secretary of Health and Human Services settles any administrative claim pursuant to the authority granted by section 1 for an amount in excess of \$100,000 and within the amount delegated to him under section 1, a memorandum fully explaining the basis for the action taken shall be executed. A copy of this memorandum

shall be sent to the Director, FTCA Staff, Torts Branch of the Civil Division.

[Order No. 1302-88, 53 FR 37753, Sept. 28, 1988, as amended by Order No. 1471-91, 56 FR 4943, Feb. 7, 1991; Order No. 1482-91, 56 FR 12846, Mar. 28, 1991; Order No. 1583-92, 57 FR 13320, Apr. 16, 1992; 58 FR 36867, July 9, 1993; 61 FR 66220, Dec. 17, 1996; 68 FR 62517, Nov. 5, 2003]

PART 15—CERTIFICATION AND DE-CERTIFICATION IN CONNECTION WITH CERTAIN SUITS BASED UPON ACTS OR OMISSIONS OF FEDERAL EMPLOYEES AND OTHER PERSONS

Sec.

15.1 General provisions.

15.2 Expeditious delivery of process and pleadings.

15.3 Agency report.

15.4 Removal and defense of suits.

AUTHORITY: 5 U.S.C. 301, 8477(e)(4); 10 U.S.C. 1054, 1089; 22 U.S.C. 2702; 28 U.S.C. 509, 510, and 2679; 38 U.S.C. 7316; 42 U.S.C. 233, 2212, 2458a, and 5055(f); and the National Swine Flu Immunization Program of 1976, 90 Stat. 1113 (1976).

SOURCE: Order No. 2697-2003, 68 FR 74188, Dec. 23, 2003, unless otherwise noted.

§ 15.1 General provisions.

(a) This part contains the regulations of the Department of Justice governing the application for and the issuance of statutory certifications and decertifications in connection with certain suits based upon the acts or omissions of Federal employees and certain other persons as to whom the remedy provided by the Federal Tort Claims Act, 28 U.S.C. 1346(b) and 2672, is made exclusive of any other civil action or proceeding for money damages by reason of the same subject matter against such Federal employees and other persons.

(b) As used in this part:

(1) *Appropriate Federal agency* means the Federal agency most closely associated with the program out of which the claim or suit arose. When it cannot be ascertained which Federal agency is the most closely associated with the program out of which the claim or suit arose, the responsible Director of the Torts Branch, Civil Division, Department of Justice, shall be consulted and